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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF LANE

US BANK, NATIONAL ASSOCIATION, AS TRUSTEE FOR GSAMP TRUST 2005-AHL2, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-AHL2,

Plaintiff,

v.

CHRISTOPHER R. HALLETT; JOANN HALLETT; UNITED STATES OF AMERICA; OCCUPANTS OF THE PROPERTY,

Defendants.

Case No.: 15CV16262

WRIT OF EXECUTION IN FORECLOSURE

**TO THE LANE COUNTY SHERIFF:**

A Judgment of Foreclosure was entered and docketed in this case on March 29, 2017. A true copy of the Judgment is attached hereto. The Judgment was entered in favor of the Plaintiff:

US BANK, NATIONAL ASSOCIATION, AS TRUSTEE FOR GSAMP TRUST 2005-AHL2, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-AHL2

c/o Bryan Kidder  
Attorney for Plaintiff  
McCarthy & Holthus, LLP  
920 SW 3rd Ave, 1st Floor  
Portland, OR 97204

1 With the adjudicated amount due of \$168,989.20, plus post-judgment interest at the statutory rate  
2 of 9.0% per annum from March 29, 2017 to June 14, 2017 in the amount of \$3,208.48, and  
3 continuing with a per diem of \$41.67, currently totaling \$172,197.68.

4 **NOW, THEREFORE, IN THE NAME OF THE STATE OF OREGON**, you are  
5 hereby commanded to sell, in the manner prescribed by law for the sale of real property on  
6 execution (subject to redemption of 180 days), all of the interest that the Defendant had on or  
7 about September 21, 2005, the date of the Deed of Trust, and also the interest that the Defendant  
8 had thereafter, in the real property described in the attached *Exhibit 1*, APN/Parcel #: 0201663  
9 and commonly known as: 2456 Ranch Drive, Springfield, OR 97477.

10 Sale of the property is to satisfy the sum listed above, plus the costs incurred in  
11 performing this Writ. Pursuant to ORS 18.872, you are authorized to continue execution under  
12 the writ and delay making a return on the writ to no later than 150 days from receipt of the writ.  
13 You are to make the return within 60 days after you receive this Writ. Should the sale be  
14 continued, the writ may be automatically extended for 30 days.

15  
16 June 20, 2017

17 By: Pierce  
Court Clerk

18 Dated: June 14, 2017 and submitted by:

19 **McCarthy & Holthus, LLP**

20 s/ Bryan Kidder

21 Bryan Kidder, OSB No. 140459  
22 920 SW 3rd Ave, 1st Floor  
23 Portland, OR 97204  
24 Phone: (971) 201-3200  
25 Fax: (971) 201-3202  
26 bkidder@mccarthyholthus.com  
27 Of Attorneys for Plaintiff  
28



# EXHIBIT "1"

## LEGAL DESCRIPTION

Beginning at the Northwest corner of Lot 1, Block 3, RANCH MARKET FIRST ADDITION, as platted and recorded in Book 28, Page 23, Lane County Oregon Plat Records; run thence South along the West line of said Lot 1, 110.0 feet to the Southwest corner of said Lot 1, Block 3; thence West 110.0 feet; thence North 50.08 feet to the beginning of a 32.33 foot radius curve right; thence along said curve (the long chord of which bears North 31° 44' 30" East 34.02 feet), a distance of 35.82 feet; thence North 63° 29' East 69.41 feet; thence East 30.0 feet to the point of beginning, in Lane County, Oregon.

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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF LANE

US BANK, NATIONAL ASSOCIATION, AS  
TRUSTEE FOR GSAMP TRUST 2005-AHL2,  
MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2005-AHL2.

Plaintiff,

v.

CHRISTOPHER R. HALLETT; JOANN  
HALLETT; UNITED STATES OF AMERICA;  
OCCUPANTS OF THE PROPERTY,

Defendants.

Case No.: 15CV16262

CORRECTED GENERAL JUDGMENT  
OF FORECLOSURE AS TO ALL  
DEFENDANTS

1.

THIS MATTER came before the Court on Plaintiff's motion.

Defendants CHRISTOPHER R. HALLETT, JOANN HALLETT, UNITED STATES OF AMERICA and OCCUPANTS OF THE PROPERTY ("Defaulted Defendants") were duly served with process and failed to appear; the default has been entered against Defaulted Defendants, and it appearing that Defaulted Defendants are not incapacitated, protected persons, respondents as defined in ORS 125.005, minors, or in the military service of the United States;

2.

IT IS HEREBY ADJUDGED that Plaintiff shall have judgment as follows:

- a. The real property to which this judgment relates is located and situated in Lane County, Oregon, and is commonly known as 2456 Ranch Drive, Springfield, OR 97477 (the "Subject Property"), legally described as shown in the attached *Exhibit 1*, and having APN/Parcel No.

1 b. Plaintiff is entitled to enforce the note dated 9/21/2005 and made, delivered, and executed by  
2 CHRISTOPHER R. HALLETT and JOANN HALLETT to ACCREDITED HOME LENDERS,  
3 INC. in the amount of \$146,625.00 (the "Note"). The Note was transferred to Plaintiff by  
4 delivery of possession and by indorsement set forth on the Note.

5 c. A deed of trust was made, executed, and delivered by Defendants CHRISTOPHER R.  
6 HALLETT and JOANN HALLETT on or about 9/22/2005 (the "Deed of Trust"). The Deed  
7 of Trust was recorded on 9/27/2005 as Instrument No. 2005-076649 in the official records of  
8 Lane County, Oregon. The Deed of Trust is a valid and perfected lien against all of the  
9 Property for and securing the Amount Due. The lien of the Plaintiff is superior to any  
10 interest, lien, or claim of the Defendants and shall remain in effect until issuance of a  
11 Sheriff's Deed.

12 d. The Borrower failed to make the payment that was due for 8/1/2014 and has not cured the  
13 default. The amount of debt secured by the Deed of Trust that is now due and owing is  
14 comprised of the following amounts (the "Amount Due"):

15	a) Unpaid principal balance:	\$131,103.35
16	b) Prejudgment interest accruing from	
17	7/1/2014 to 12/20/2016 and	
18	continuing until the entry of judgment	
	at the current Note rate of 7.5%:	\$24,281.50
19	c) Additional amounts due under the	\$9,355.86
20	terms of the loan:	
21	d) Attorney fees and costs:	\$4,163.49
22	e) Prevailing party fee (ORS 20.190	\$85.00
	(2)(a)):	
23	<b>Total:</b>	<b>\$168,989.20</b>

24 Pursuant to ORS 82.010 (2), post-judgment interest shall accrue on the Amount Due from the  
25 date of entry of this judgment through the sale of the Subject Property at the rate of 9.00% per  
26 annum.

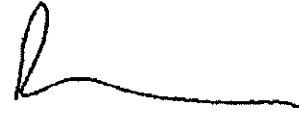
- 1 e. The interest of the Defendants and any successor in interest in the Subject Property is  
2 foreclosed and terminated excepting only any statutory right of redemption as provided by  
3 Oregon law.
- 4 f. Pursuant to 38 U.S.C. § 3720 (d), because the United States' lien is subordinate to the  
5 Plaintiff's lien and is guaranteed/insured by the FHA, the federal government does not have a  
6 28 U.S.C. § 2410(c) one-year redemption right in this case.
- 7 g. The Defendants are not entitled to a homestead exception as against Plaintiff's judgment.
- 8 h. All right, title and interest in the Subject Property that Defendants CHRISTOPHER R.  
9 HALLETT and JOANN HALLETT had as of the date of the Deed of Trust or thereafter  
10 acquired is hereby ordered to be sold by the Lane County Sheriff's Office in accordance with  
11 the process for sale upon execution, and the proceeds of sale shall be applied:
- 12 1) First, to the costs of sale not incurred by Plaintiff;
  - 13 2) Second, to the Amount Due, plus post-judgment interest accruing from the date of  
14 entry of judgment through the date of the sale and any incurred costs of sale;
  - 15 3) Third, the surplus, if any, to the Defendants in the priority as their interest may  
16 appear, described *infra*, or to the clerk of the court to be distributed by the Court to  
17 such party or parties as they may establish their right thereto.
- 18 i. Plaintiff may become purchaser at the sale of the Subject Property and, pursuant to ORS  
19 18.936 (2), may credit bid up to the Amount Due, plus post-judgment interest accruing from  
20 the date of entry of judgment through the date of the sale and any incurred costs of sale.
- 21 j. The purchaser at the sale is entitled to exclusive and immediate possession of the Subject  
22 Property from and after the date of the sale and is entitled to such remedies as are available at  
23 law or in equity to secure possession. The purchaser at the sale may apply to the Court for a  
24 writ of assistance if any Defendant, other party, or other person shall refuse to surrender  
25 possession to the purchaser immediately upon the purchaser's demand for possession.
- 26 k. In the event the proceeds of sale are insufficient to pay the Amount Due, Plaintiff shall not be  
27 entitled to any further or other judgment, including a judgment for the deficiency.

1 l. If, before the sale, the Amount Due is brought into court and paid to the clerk, the execution,  
2 if issued, shall be recalled and the effect of the judgment as to the Amount Due shall be  
3 terminated.

4 m. Pursuant to ORS 88.050, the apparent priority of liens subsequent and inferior to the Deed of  
5 Trust are as follows:

6 1) Defendant UNITED STATES OF AMERICA may claim an interest in the Subject  
7 Property by virtue of a federal tax lien in the amount of \$8,103.57, filed September 7,  
8 2010, Office of County Record, Lane County, Instrument Number 2010-044372  
9 wherein JOANN HALLETT of 2456 Ranch Drive, Springfield, OR 97477 is named  
10 as taxpayer. The notice was filed by the Internal Revenue Service and bears serial  
11 number 692573510.

Signed 3/28/2017 05:09 PM



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**R.Curtis Conover, Circuit Court Judge**

17  
18 I hereby certify that the requirements of UTCR 5.100 have been satisfied.

19 This proposed Corrected General Judgment of Foreclosure is ready for judicial signature  
20 because:

21 The relief sought is against an opposing party who has been found in default.



1 Dated: March 13, 2017

2 Presented by:

3 **McCarthy & Holthus, LLP**

4 s/ Brady Godbout

5 [x] Brady Godbout, OSB No. 132708

6 920 SW 3rd Ave, 1st Floor

7 Portland, OR 97204

8 Phone: (971) 201-3200

9 Fax: (971) 201-3202

10 bgodbout@mccarthyholthus.com

11 Of Attorneys for Plaintiff

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